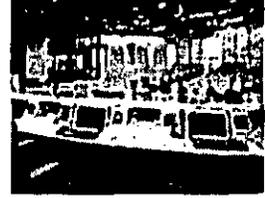
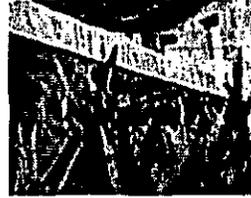


# AGENDA



**Thursday, May 4, 2006**

The Austin City Council will convene at 10:00 AM  
on Thursday, May 4, 2006, in Austin City Hall, 301 W. Second Street,  
Austin, TX 78701.



- Mayor Will Wynn
- Mayor Pro Tem Danny Thomas
- Council Member Lee Leffingwell, Place 1
- Council Member Raul Alvarez, Place 2
- Council Member Jennifer Kim, Place 3
- Council Member Betty Dunkerley, Place 4
- Council Member Brewster McCracken, Place 5

For meeting information, contact City Clerk, 974-2210

AUSTIN  
06 APR 20 PM 2:48

**Thursday, May 4, 2006**

Austin City Hall, 301 W. 2nd St. Austin, TX 78701  
For meeting information, contact City Clerk, 974-2210

**Austin City Council Agenda**

The City Council Of The City Of Austin, Texas Will Convene At 10:00 AM On Thursday, May 4, 2006,  
In Austin City Hall, 301 W. 2nd St. Austin, TX 78701.

*The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551.086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda.*

**Reading and Action on Consent Agenda****Action on the Following:****Ordinances / Resolutions / Motions -**

**All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.**

**9:55 AM -- Invocation**

Deacon John De La Garza, University Catholic Center

**Meeting Minutes**

1. Approval of the minutes from the meeting of April 27, 2006.

**Austin Energy**

2. Authorize expenditures under the Holly Neighborhood Grants Assistance Program in an amount not to exceed \$35,000. Funding is available in the 2005-2006 Operating Budget of the Electric Utility Department. Recommended by the Electric Utility Commission.

**Austin Water Utility**

3. Authorize the City Manager to negotiate and execute amendments to agreements with Travis County Water Control and Improvement District No. 17 (WCID No. 17) for the provision of wholesale wastewater service to the Comanche Canyon Planned Unit Development, and with WCID No. 17, Taylor Woodrow Communities/Steiner Ranch Ltd., and Steiner Utility Company, Inc., for the provision of wholesale wastewater service to the Steiner Ranch area. WCID No. 17 will be responsible for the necessary infrastructure improvements. No City funding is required for this agreement. Recommended by Water and Wastewater Commission.

**Neighborhood Planning & Zoning**

4. Approve an Interlocal Agreement regarding the release of approximately 425 acres of Austin extraterritorial jurisdiction to the jurisdiction of the City of Lakeway. The area is located north of SH 71, approximately two miles west of FM 620. (No fiscal impact.)

**Neighborhood Housing and Community Development**

5. Authorize ratification of contracts with apartment complex owners and other housing providers, utility service providers and the furniture and supplies provider to provide interim housing assistance for evacuees of disaster declared Gulf States related to Hurricane Katrina and Hurricane Rita in a total amount through May 31, 2006 not to exceed approximately \$5,568,571 and authorize continuation of the housing assistance, utility service and furniture and supplies contracts on a month-to-month basis until the Federal Emergency Management Agency terminates the program, contingent upon the availability of grant funding. Funding in the amount of \$5,568,571 is available in a grant from the Texas Department of Public Safety, Division of Emergency Management for interim housing under Presidential disaster declarations related to Hurricane Katrina.

#### **Police**

6. Approve a resolution authorizing application for and acceptance of \$100,000 in grant funding from the State of Texas, Office of the Governor, Criminal Justice Division, Title V program to continue the Juvenile Accountability and Community Service (JACS) program at the Austin Police Department. Funding is available for the grant period September 1, 2006 to August 31, 2007. A cash match of \$81,305 is required and will be included in the Fiscal Year 2006-2007 Operating Budget of the Police Department. Total funding for the Title V project is \$181,305.

#### **Public Works**

7. Approve the negotiation and execution of a three-month lease extension for 27,520 square feet of warehouse space for the evidence storage function of the Austin Police Department, located at 4101 South Industrial Drive, Suite 260, from PROLOGIS, INC., Austin, TX, in an amount not to exceed \$33,750. Funding in the amount of \$33,750 is available in the Fiscal Year 2005-2006 Operating Budget of the Austin Police Department. Funding for the extended contract term is contingent upon available funding in future budgets.
8. Approve the negotiation and execution of a seven month and 20 day lease renewal for 9,065 square feet of office space for the recruiting program of the Austin Police Department, located at 2785 East 7th Street, from CPRE-1 END GOVALLE, L.P., Austin, TX, in an amount not to exceed \$90,441.01. Funding in the amount of \$90,441.01 is available in the Fiscal Year 2005-2006 Operating Budget of the Austin Police Department. Funding for the remaining contract term is contingent upon available funding in future budgets.
9. Approve the negotiation and execution of a 60-month lease renewal and expansion for 964 square feet of office space and boat slips for the Park Police program of the Public Safety and Emergency Management Department, located at 2215 Westlake Drive, from LAKE AUSTIN MARINA I L.P., Austin, TX, in an amount not to exceed \$137,990. Funding in the amount of \$137,990 is available in the Fiscal Year 2005-2006 Operating Budget of the Public Safety and Emergency Management Department. Funding for the contract term is contingent upon available funding in future budgets.
10. Authorize negotiation and execution of a 12-month lease renewal of 2.52 acres of land and 3,000 square feet of office and warehouse improvements located at 5109 E. Ben White, from 5005 B.W. LP, for the Watershed Protection and Development Review Department, Pond Maintenance Program, in an amount not to exceed \$42,000. Funding in the amount of \$42,000 is available in the Fiscal Year 2005-2006 Operating Budget of the Watershed Protection and Development Review Department. Funding for the extended contract term is contingent upon available funding in future budgets.

- 11 . Authorize negotiation and execution of a professional services agreement with PARSONS BRINCKERHOFF QUADE AND DOUGLAS, INC., Austin, TX, for providing professional planning services for Transit-Oriented District Station Area Planning, in an amount not to exceed \$450,000. Funding is available in the Fiscal Year 2005-2006 Capital Budget of the Neighborhood Planning and Zoning Department. Best qualification statement of eight received. 20% MBE and 15% WBE subcontractor participation.

### **Purchasing Office**

- 12 . Authorize execution of a contract with POWER SUPPLY, INC., Austin, TX, for the purchase of shunt capacitor banks in an amount not to exceed \$467,360. Funding is available in the Fiscal Year 2005-2006 Approved Capital Budget of Austin Energy. Lowest bid of three bids received. This contract will be awarded in accordance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
- 13 . Authorize execution of a contract with HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC) with METRO FIRE APPARATUS SPECIALIST, Houston, TX, for the purchase of hydraulic rescue tools for the Austin Fire Department in an amount not to exceed \$152,733.34. Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Fire Department. Cooperative Purchase.
- 14 . Authorize execution of a contract with MEYER INSTRUMENTS, INC., Houston, TX, for the purchase of a comparison bridge microscope in an amount not to exceed \$79,012. Funding is available in the Fiscal Year 2005-2006 Approved Special Revenue Budget in the Police Federal Asset Forfeiture Fund of the Austin Police Department. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
- 15 . Authorize execution of a 12-month supply/service agreement with CHLOR-SERV INC. (WBE/FR – 100%) Austin, TX, for sodium hypochlorite and muriatic acid in amount not to exceed \$54,975, with two 12-month extension options in an amount not to exceed \$54,975 per extension option, for a total agreement amount not to exceed \$164,925. Funding in the amount of \$22,906 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Parks and Recreation Department Fund. Funding for the remaining seven months of the original period and extension options is contingent upon available funding in future budgets. Lowest bids of three bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.
- 16 . Authorize negotiation and execution of a contract with ACTIVE NETWORK, INC., Sacramento, CA, to purchase a Point-of-Sale (POS) system in an amount not to exceed \$74,037, with four 12-month extension options for maintenance support in an amount not to exceed \$7,625 per extension option, for a total contract amount not to exceed \$104,537. Funding in the amount of \$46,037 is included in the Fiscal Year 2005-2006 Capital Budget of the Health Department's Office of Vital Records. Funding in the amount of \$28,000 is available in the Fiscal Year 2005-2006 Operating Capital Software Fund of the

Communication and Technology Management (CTM) Division of the Financial and Administrative Services Department. Funding for the extension options is contingent upon available funding in future budgets. Best evaluated proposal of three proposals received. This contract was awarded in compliance with Chapter 2 - 9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation.

- 17 . Authorize execution of a 31-month contract through the Texas Multiple Award Schedule (TXMAS) with GRAINGER, INC., Austin, TX to purchase industrial supplies and equipment in an amount not to exceed \$1,074,235, with two 12-month extension options in an amount not to exceed \$415,833 per extension option, for a total agreement amount not to exceed \$1,905,901. Funding in the amount of \$173,263 is included in the Fiscal Year 2005-2006 Approved Operating Budget of various City departments. Fleet Maintenance Fund of the Finance and Administrative Services Department (\$57,292); Austin Water Utility (\$46,180); Parks and Recreation Department (\$33,333); Austin Energy (\$25,000) and Building Services of the Finance and Administrative Services Department (\$11,458). Funding for the remaining 26 months of the original contract period and the extension options is contingent upon available funding in future budgets. Cooperative Purchase.

#### **Item(s) from Council**

- 18 . Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
- 19 . Approve a resolution directing the City Manager to close Holly Units 3 and 4 by September 30, 2007 and continue the Holly Good Neighbor Program through Fiscal Year 2011-2012. (Council Member Raul Alvarez , Mayor Will Wynn and Mayor Pro Tem Danny Thomas)
- 20 . Approve a resolution authorizing the City Manager to appoint a Task Force consisting of representatives from various City Departments as needed to study the issue of information management and make recommendations to develop policies, allocate resources and investigate technological solutions to ensure appropriate management of electronic documents and increased citizen access to public information. (Council Member Lee Leffingwell , Mayor Will Wynn and Council Member Betty Dunkerley)
- 21 . Approve a resolution to reduce the rental fee for usage of Block 21 by Austin Green Art from \$300 to \$100 per day until May 15, 2006 and establish a policy regarding rental of block 21 that will set the fee for the first week of rental by an approved user at \$200/day and at \$100/day for any days after the first week of rental. (Council Member Raul Alvarez , Council Member Betty Dunkerley and Council Member Brewster McCracken)

#### **Item(s) to Set Public Hearing(s)**

- 22 . Set a public hearing to receive citizen comments on community needs in order to develop the City's (1) Annual Action plan for Fiscal Year 2006-2007, related to allocation of the U.S. Department of Housing and Urban Development grant funds, and (2) Community Development Fiscal Year 2006-2007 Program required by Texas Local Government Code Chapter 373, including proposed funding allocations. (Suggested date and time: May 25, 2006 at 6:00 p.m., City Hall Council Chambers, 301 West Second Street.) Public hearing on needs assessment March 29, 2006.
- 23 . Set a public hearing on the proposed November 2006 Bond Election. (Suggested date and

time: May 18, 2006 at 6:00 p.m., Austin City Hall Council Chambers, 301 West Second Street)

- 24 . Set a public hearing to consider floodplain variance requests by Mr. Enrique Parada in order to obtain a building permit to create a duplex structure from his single-family residence and an adjacent, recently placed structure at 1610 Houston Street in the 100-year floodplain of the Hancock Branch of Shoal Creek and to waive the requirement to dedicate a drainage easement to the full limit of the 100-year floodplain by deleting the footprint of the structures from the easement-dedication requirement. (Suggested date and time: May 18, 2006 at 6:00 p.m., City Hall Council Chambers, 301 West 2nd Street.) Board of Adjustment, 11/14/2005, C15-05-136; Applicant's request for a variance to decrease the minimum rear yard setback from 10 feet to 6.4 feet was granted 5-0.
- 25 . Set a public hearing to consider an ordinance amending City Code Chapter 25-2, Article 2, Division 3 relating to Historic Landmark and Historic Area Districts. (Suggested date and time: May 18, 2005 at 6:00 p.m.; Austin City Hall Council Chambers, 301 West Second Street.) To be reviewed by the Planning Commission on May 9, 2006.
- 26 . Set a public hearing to consider an amendment to Title 25 of the City Code to establish use and site development regulations applicable to single family residential uses, duplexes, and other residential uses within certain zoning districts (C2O-06-0008). (Suggested date and time: May 25, 2006 at 6:00 p.m., Austin City Hall Council Chambers, 301 West 2nd Street.)

► **12:00 PM -- Citizen Communications: General**

Amy Hardison - Chicken Coop that is on the property at 7106 Fred Morse, Austin, Texas 78723. This Chick Coop houses 15 chickens and 4 roosters, and creates a nuisance in the neighborhood with the constant noise and waste produced by the animals.

Harold Daniel - Driving Sprawl

Jimmy Castro - Cinco de Mayo

Michael Benedikt - "Proposal: Austin Tree of the Year Award"

Pam Thompson - Driving Sprawl

Pat Johnson - Current Issues

Roger Baker - Sprawl

Shudde Fath - Barton Springs

Stefan Wray - Driving Sprawl

Susana Almanza - Save Guerrero Park! No Industrial Green Water Treatment Plant at Guerrero Park!! PODER wants natural green not your green \$\$\$\$\$

**Executive Session**

- 27 . Discuss acquisition of land near US 183 and Cameron Road for public purposes. (Real Property - 551.072)
- 28 . Discuss legal issues regarding Chapter 2-9 of the City Code related to the City of Austin Minority and Women-Owned Business Enterprise Program. (Private Consultation with

Attorney, 551.071)

- 29 . Discuss legal issues related to City Code Sections 4-1-1 through 4-1-4 regarding adult arcades and City Code Section 25-2-801 regarding adult-oriented businesses. (Private Consultation with Attorney - Section 551.071)
- 30 . Discuss legal issues related to design and construction of the Austin-Bergstrom International Airport garage. (Private Consultation with Attorney - Section 551.071)

▼ **2:00 PM -- Briefings**

- 31 . Staff briefing on Community Land Trusts.
- 32 . Briefing on 2006 Bond Election: Affordable Housing and Land Acquisition.

▼ **4:00 PM -- Zoning Hearings and Approval of Ordinances and Restrictive Covenants**

**Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)**

- 33 . C14-05-0190 - West 15th Street - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 515 West 15th Street (Shoal Creek Watershed) from general office (GO) district zoning to central business district-conditional overlay (CBD-CO) combining district zoning. First reading approved on April 6, 2006. Vote: 7-0. Applicant: Cabot-Chase, Ltd. (Jimmy Nassour). Agent: Ron Thrower. City Staff: Jorge E. Rousselin, 974-2975.
- 34 . C814-05-0213 - Loop 1 at U.S. Highway 290 West PUD - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5009 U.S. Highway 290 West (Tract 1) and 4929 Davis Lane & 5000 W. Slaughter Lane from community commercial (GR) district zoning and rural residence (RR) district zoning for Tract 1; community commercial-conditional overlay (GR-CO) combining district zoning for Tract 2, to planned unit development (PUD) district zoning for Tracts 1 and 2. These properties, located within the Barton Springs Zone, have been proposed for a zoning change; the change will result in an amendment to the application of Chapter 25-8, Article 12, (Save our Springs Initiative) to the properties. First reading approved on February 16, 2006. Vote: 7-0. Applicant: Wilmington Trust #2133 c/o Wal-Mart Stores, Inc.; S.R. Ridge Limited Partnership. Agent: Armbrust & Brown (Richard Suttle, Jr.). City Staff: Jerry Rusthoven, 974-3207.

**Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

- 35 **PH.** C14-06-0008 - Crestview Station - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 918-920 Banyon Street (Waller Creek Watershed) from general commercial services-neighborhood plan (CS-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Applicant: Crestview Station DS Land, L.P. (James H. Matoushak). Agent: Drenne+Golden, Stuart, Wolff, L.L.P. (Michele Haussmann). City Staff: Jorge E. Rousselin, 974-2975.
- 36 **PH.** C14-06-0020 - Gallery Shoal Creek - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1500

West 34th Street (Shoal Creek Watershed) from limited office (LO) district zoning to general office-conditional overlay (GO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Applicant: Judith Taylor. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Jorge E. Rousselin, 974-2975.

- 37 PH.** C14-06-0023 - Marks-4 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2301 Riverside Drive (Town Lake Watershed) from family residence (SF-3) district zoning to neighborhood commercial (LR) district zoning. Planning Commission Recommendation: To be reviewed on May 23, 2006. Applicant: Eddie Dean. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Robert Heil, 974-2330.
- 38 PH.** C14-06-0028 - 1700 Smith Road - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1700 Smith Road (Boggy Creek Watershed) from industrial park-neighborhood plan (IP-NP) combining district zoning to limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning. Planning Commission Recommendation: To grant limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning. Applicant: GPMP Land Company, L.L.C. (George Pyson). Agent: Thrower Designs (Ron Thrower). City Staff: Robert Heil, 974-2330.

► **5:30 PM -- Live Music and Proclamations**

**Live Music**

Haydn Vitera

**Proclamations**

Proclamation -- Children's Mental Health Week -- to be presented by Mayor Will Wynn and to be accepted by Mary Margaret Sauls and Princess Katana.

Certificate of Congratulations -- Dust Devils for Texas Music Awards -- to be presented by Mayor Will Wynn and to be accepted by Barbara Maltezeand Kevin Higgins

Certificates of Congratulations -- Latinitas Magazine Dia de Las Madres Art and Writing Contest Winners -- to be presented by Mayor Will Wynn and to be accepted by the honorees.

Proclamation -- Cover the Uninsured Month -- to be presented by Mayor Will Wynn and to be accepted by Gerald Hill

Certificate of Congratulations -- DAR Conservation Award Winner -- to be presented by Council Member Lee Leffingwell and to be accepted by Bob Ayres

Proclamation -- Asian Pacific-American Heritage Month -- to be presented by Council Member Jennifer Kim and to be accepted by Vince Cobalis and Sarah Chen

► **6:00 PM -- Public Hearings and Possible Actions**

- 39 .** Conduct a public hearing to consider an ordinance amending the City Code to reflect departmental responsibilities that resulted from the formation of the One-Stop Shop. Reviewed by Codes and Ordinances on February 21, 2006. Reviewed by the Planning Commission on April 25, 2006.

- 40 . Conduct a public hearing to consider variance requests by Russell Jones to allow construction of a single-family residence at 806 East 30th Street in the 25-year and 100-year floodplains of Waller Creek and to waive the requirement to dedicate a drainage easement to the full limit of the 100-year floodplain for the footprint of the residence.

Adjourn

 *The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.*  
 *For assistance please call 974-3256 OR 974-2445 TDD.*

A person may request a Spanish language interpreter be made available by contacting the City Clerk's Office not later than two hours before the scheduled time of the item on which the person wishes to speak. Please call 974-3256 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de dos horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al 974-3256 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.

## CITY COUNCIL AGENDA

### Council Meetings

January 12, 2006

January 26, 2006

February 2, 2006

February 9, 2006

February 16, 2006

March 2, 2006

March 9, 2006

March 23, 2006

April 6, 2006

April 20, 2006

April 27, 2006

May 4, 2006

May 18, 2006

May 25, 2006

June 8, 2006

June 22, 2006

July 27, 2006

August 10, 2006

August 24, 2006

August 31, 2006

September 11,12,13

(Budget Readings)

September 28, 2006

October 5, 2006

October 19, 2006

October 26, 2006

November 2, 2006

November 16, 2006

November 30, 2006

December 7, 2006

December 14, 2006

### Cancelled Meetings

January 5, 2006

January 19, 2006

February 23, 2006

March 16, 2006

March 30, 2006

April 13, 2006

May 11, 2006

June 1, 2006

June 15, 2006

June 29, 2006

July 6, 2006

July 13, 2006

July 20, 2006

August 3, 2006

August 17, 2006

September 7, 2006

September 14, 2006

September 21, 2006

October 12, 2006

November 9, 2006

November 23, 2006

December 21, 2006

December 28, 2006